

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ILLINOIS**

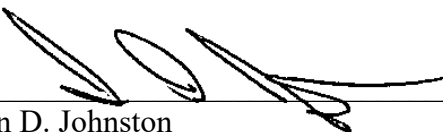
Eric Bernard (#R-25398),)	
)	
Plaintiff,)	
)	Case No. 20 C 50412
v.)	
)	Hon. Iain D. Johnston
Rob Jeffreys, et al.,)	
)	
Defendants.)	

ORDER

Plaintiff has submitted a motion for leave to file a proposed amended complaint [41] and included the proposed amended complaint [42]. The motion [41] is denied. The Court has reviewed the proposed amended complaint pursuant to 28 U.S.C. § 1915A and finds it is unacceptable. Plaintiff may proceed on the prior accepted amended complaint with regard to allegations of violation of his rights under the Americans with Disabilities Act 42 U.S.C. § 12132 and the Rehabilitation Act, 29 U.S.C. § 794(a). However, Plaintiff's official capacity claim for deliberate indifference to serious medical condition is dismissed as duplicative of the claim Plaintiff is pursuing with benefit of counsel in *Bernard v. Illinois Department of Corrections*, Case No. 20 C 50413 (N.D.Ill.). The Court further finds that any further attempt to amend in this case to include claims of deliberate indifference to serious medical condition would be futile because any such claims are duplicative of the claims being pursued in Case No. 20 C 50413. *See Atkins v. City of Chicago*, 631 F.3d 823, 832 (7th Cir. 2011). If the Court finds that Plaintiff is attempting duplicative claims in any of his other cases it may make a finding that such pleading is malicious and may lead to the imposition of sanctions, up to and including dismissal of the case. The Clerk is directed to forward a copy of Plaintiff's proposed amended complaint in this case [42] to Plaintiff's counsel in Case No. 20 C 50413.

Date: July 8, 2021

By:



Iain D. Johnston
United States District Judge